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Viewing cable 06KUALALUMPUR1948, SABAH: POROUS BORDERS; PROBLEMS WITH FOREIGNERS; UNHAPPY UMNO COALITION PARTNER

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#06KUALALUMPUR1948.

Reference ID	Created	Released	Classification	Origin
06KUALALUMPUR1948	2006-10-17 05:11	2011-08-30 01:44	CONFIDENTIAL	Embassy Kuala Lumpur

Appears in these articles:

<http://malaysia-today.net/mtcolumns/42559-wikileaks-sabah-porous-borders-problems-with-foreigners-unhappy-umno-coalition-partner>

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INFO RUEHXS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS
RUEHDR/AMEMBASSY DAR ES SALAAM 0052
RHHMUNA/CDR USPACOM HONOLULU HI

C O N F I D E N T I A L SECTION 01 OF 03 KUALA LUMPUR 001948

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SUBJECT: SABAH: POROUS BORDERS; PROBLEMS WITH FOREIGNERS; UNHAPPY UMNO COALITION PARTNER

Classified By: Political Section Chief Mark D. Clark for reasons 1.4 (b, d).

Summary

11. (C) The police, political leaders, a human rights official in the East Malaysia state of Sabah recently expressed their concerns to us about rising crime and the security impact from the high number of foreigners - both legal and illegal - residing in the state. Sabah's Acting Police Commissioner said illegal migrants and other foreigners committed three out of four violent crimes in the state, but he did not address terrorist threats or transnational crime syndicates. On other issues, a Sabah state minister from Prime Minister Abdullah Badawi's political party, UMNO, criticized the PM's intellectual capacity and said the PM's inner circle gives him "bad advice." The minister predicted the UMNO national assembly in November would be "a timid affair." One of the 16 commissioners from Malaysia's government-funded national human rights commission (Suhakam) told us the government views Suhakam as "a pest." Seconding other comments from the Suhakam commissioner about the large influx of foreigners into Sabah, two state assemblymen expressed trepidation about the state's security situation. The pending U.S. Border Control Assessment Initiative (ref A) will assist our efforts to better understand the security ramifications of Sabah's porous borders and identify ways the U.S. can assist. End Summary.

Police Face Challenges from Criminals - And Parliament

12. (C) Sabah's Acting Police Commissioner, Mohd Bakri Zinin, told us on October 4 that "illegal migrants and other foreigners" account for about three-fourths of violent crimes committed in the state. He said almost all the crime was locally based and that transnational crime syndicates were "not much of a problem" in Sabah. Zinin notably did not address the issue of terrorists either located in or transiting Sabah. When asked about the potential for human trafficking into the Malaysian federal territory island of Labuan, near Sabah's western coast, Zinin stated flatly, "There is no trafficking problem in Labuan. Those women are all volunteers who claim to be victims when caught." (Note: Septel addresses prostitution on Labuan. End Note.)

13. (C) Zinin criticized a recently enacted amendment to the criminal procedure code that eliminated prosecutors' usage of police-obtained confessions in trying criminal defendants. Confessions are now only admissible if done in front of a magistrate. Zinin said the amendment "will hurt our ability to get convictions." He stated, "As a result, we'll likely make greater use of (Malaysia's four preventative detention laws), even though we know this will bring criticism from Suhakam and the NGOs." (Note: The laws he referenced are the Internal Security Act, Restricted Residence Act, Dangerous Drugs Act, and Emergency Ordinance. They allow the police and the internal security ministry to jointly incarcerate individuals for extended periods without trial, in cases where police lack sufficient evidence to obtain a criminal conviction. From our local sources, we believe 700 - 1,000 Malaysians suspected of criminal activity are currently jailed under the Emergency Ordinance alone. End Note.)

UMNO Minister Swipes at Prime Minister Abdullah...

14. (C) While making unsolicited comments about Prime Minister Abdullah Badawi's public image and job performance, Sabah's Minister of Youth and Sports, Masidi Manjun, told us, "Abdullah is not an intellectual and is a bit slow in his thinking." He said the PM is "getting bad advice from his inner circle" regarding both the content and "scripted shouting" of some of his latest speeches to his ethnic Malay

political base. Manjun, who formally headed Sabah's primary government-funded think tank (the Institute of Development Studies), told us of a private comment made by former PM Mahathir during a recent trip to Japan. Mahathir reportedly told a senior Japanese politician, "Japan is the home of the rising sun, and Malaysia is home to the rising son-in-law." This was a reference to PM Abdullah's son-in-law Khairy Jamaluddin, who serves as the deputy president of UMNO Youth. With Mahathir's recent failure to be elected as an UMNO delegate at the party's national assembly in November, Manjun predicted the assembly will be "a timid affair," with no major pronouncements or surprises.

...And Foreigners in His State

15. (C) Manjun complained that Sabah was "flooded with foreigners." He singled out Filipino Muslims from Mindanao as "especially troublesome." He said, "They are not as devout as us." He told us the state's Filipinos were "using our social services and not integrating into society," and that "vagrancy and violence" were rampant within Sabah's Filipino community. He called Sabah's maritime and land borders "very porous" and expressed concern that Sabah's foreign residents were starting to become politically active. He acknowledged, however, the economic importance of Sabah's foreign population. With regard to Sabah's large number of illegal foreign workers, estimated to total over 750,000, Manjun said, "We need them here, or our economy would collapse."

Fallout from UMNO-Fueled Population Boom in Sabah

16. (C) UMNO's main Sabah-based partner party, PBS, remains publicly indignant about UMNO grants of citizenship and related voting rights during the 1990s to over 600,000 foreigners (predominantly Muslims from Indonesia and Mindanao), in return for those individuals' votes in Sabah's state assembly elections. Two PBS state assemblymen, Ching Eng Leong and Samson Chin Chee Tsu, told us on October 4 that former PM Mahathir began the initiative prior to the 1994 state assembly election, in order to ensure UMNO's political takeover of Sabah. UMNO's control was further solidified during the 1999 state election, as UMNO granted more foreigners citizenship and voting rights under what came to be known as "Project Mahathir." According to Samson, PBS switched from its opposition party status in 2000 and allied itself with UMNO. Ching said, "UMNO had completely taken over by that time. They paid off our party leaders and several assemblymen in cash, and threatened to freeze our constituencies out of federal and state funding if we didn't join them." Since 2000, the state assembly has remained 100 percent controlled by the UMNO-led coalition; opposition parties in Sabah have no elected representatives.

17. (C) Suhakam recently researched the allegations surrounding Project Mahathir and concurred with PBS' findings. According to Suhakam, Sabah's legal resident population increased 362 percent to 2.6 million from 1970 to 2000, compared to a population increase of only 135 percent over the same time period in the neighboring state of Sarawak. This substantial increase in Sabah's legal residents excludes an influx of over 750,000 foreigners holding invalid identity cards and visas - or no documents at all - according to Suhakam. According to Samson, a UK-educated lawyer whose electoral district encompasses Tawau on the east coast near the Indonesian border, Filipinos and Indonesians outnumber Malaysians 3 to 1 along Sabah's east coast from Sandakan to Tawau. He said, "The security situation in the area is not good." He also claimed that corruption in Tawau is rampant among police and immigration officers. He said it had "tripled over the last 30 years." He and his wife recently refused to attend an event that gathered public and private sector leaders on the resort island of Mabul, off the east coast of Sabah, as he feared an attack on the gathering by Mindanao-based Muslim extremists. The event took place without incident.

18. (C) With regard to the plight of Malaysia's largely impoverished rural indigenous persons in Borneo, Suhakam's Vice Chairman and resident Commissioner in Sabah, Simon Sipaun, echoed the sentiments expressed to us by his fellow Suhakam commissioner in Sarawak (ref B). He said he spends most of his time on indigenous persons' issues and lamented the government's lack of support for Suhakam. He said, "We're viewed as a pest." Sipaun told us that prisons in the state are "50 percent to 75 percent overcrowded" and that about three-fourths of all prisoners are illegal migrants and other foreigners. He described conditions in the state's three illegal migrant detention centers as "overcrowded and generally poor." Sipaun felt the large number of Filipinos on the state's east coast represented a potential security threat "if they decide to become more politically active, or if parts of Mindanao become more autonomous."

Comment

19. (C) Among all Malaysian states, Sabah faces uniquely severe border control and related security pressures. Filipinos and Indonesians move easily - and often illegally - between Sabah and their respective home countries. UMNO leaders in Sabah and Kuala Lumpur will likely continue to remain silent with regard to the deleterious effects of Project Mahathir, as this initiative achieved its primary goal (UMNO political dominance) many years ago; they consider it "old news." In any case, a significant reduction in Sabah's foreign-born population could only be reversed in the near term through an UMNO-led effort to round up and deport the very workers that drive Sabah's natural resource-based economy. While Malaysia periodically launches campaigns to expel illegal workers, even PBS' leaders concede this is highly unlikely to be carried out to the point of seriously harming the state's economy. The U.S. Border Control Assessment Initiative (BCAI) focused on the Sulu and Sulawesi sea areas of Malaysia, Indonesia and the Philippines will enhance our understanding of the security challenges facing Sabah and ways we can assist. We currently are working to obtain GOM approval for the Sabah field portion.

SHEAR